

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

THE UNITED STATES OF AMERICA

VS.

SEAN KRISHANMAKOTO SHARMA

FILED

DEC 1 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

INDICTMENT

CR 16

484

CRB

Count One:

18 U.S.C. §§ 1030(a)(5)(A) & (c)(4)(A)(i)(I)-
Transmission of a Program, Information, Code, and
Command to Cause Damage to a Protected Computer.

A true bill.

Karen Williams

Foreperson

Filed in open court this 1st day of December
A.D. 2016

Jacqueline Scott Corley
United States Magistrate Judge
United States Magistrate Judge

Bail. \$ NO BAIL WARRANT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

Second Superseding Information

18 U.S.C. § 1030(a)(5)(A) & (c)(4)(A)(i)(I)

Transmission of a Program, Information, Code,
and Command to Cause Damage to a Protected
Computer
☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:Maximum Term of Imprisonment - 10 years; Maximum Term of
Supervised Release - 3 years; Maximum Fine - \$250,000; Special
Assessment \$100Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

SEAN KRISHANMAKOTO SHARMA

DISTRICT COURT NUMBER

CR 16 484

DEFENDANT

IS NOT IN CUSTODY
☐ Has not been arrested, pending outcome this proceeding.
☐ If not detained give date any prior summons
 was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other charges☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer
been filed?
☐ Yes
☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY☐ This report amends AO 257 previously submitted
 Name of Complainant Agency, or Person (& Title, if any)
 FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:
☐ U.S. Att'y ☐ Defense
☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

BRIAN J. STRETCH

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Cynthia M. Frey

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS*☒ WARRANT

Bail Amount: NONE

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

1 BRIAN J. STRETCH (CABN 163973)
2 United States Attorney

FILED
DEC 1 2016
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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6 **SEALED**
7 **BY COURT ORDER**

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

CRB

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 SEAN KRISHANMAKOTO SHARMA,

15 Defendant.
16

17 CASE NO.

CR 16 484
18 VIOLATION: 18 U.S.C. §§ 1030(a)(5)(A) &
19 (c)(4)(A)(i)(I) - Transmission of a Program,
20 Information, Code, and Command to Cause Damage
21 to a Protected Computer

22 SAN FRANCISCO VENUE

23 UNDER SEAL

24 INDICTMENT

25 The Grand Jury charges:

26 BACKGROUND

27 1. At all times relevant to this Indictment:

28 a. Chatango, LLC ("Chatango") was a company headquartered in San Francisco that
provides online chat services to third party web sites.

b. The computer servers of Chatango were used in and affecting interstate and
foreign commerce and communication and were "protected computers" pursuant to 18 U.S.C. §
1030(e)(2)(B).

INDICTMENT



c. Defendant SEAN KRISHANMAKOTO SHARMA ("SHARMA") resided in La Canada, California.

d. A Distributed Denial of Service ("DDoS") attack was a type of malicious computer activity where an attacker sends a large number of requests to the victim computer with the intent to render the victim computer unable to handle legitimate network traffic. The victim computer becomes unable to perform its intended function and legitimate users are denied the service of the computer.

2. Xtreme Fire was described on the "Xtreme.cc" as, "basically a Linux Botnet Ddos Tool."
COUNT ONE: (18 U.S.C. § 1030(a)(5)(A), (c)(4)(A)(i)(I) - Transmission of a Program, Information, Code, and Command to Cause Damage to a Protected Computer)

3. The factual allegations at Paragraphs One and Two are re-alleged as if set forth fully therein.

4. On or about November 6, 2014, through January 20, 2015, in the Northern District of California and elsewhere, the defendant,

SEAN KRISHANMAKOTO SHARMA,

did knowingly cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the defendant caused the transmission of the Xtreme Fire DDoS tool to Chatango's web servers, a computer used in interstate and foreign commerce and communication, and, by such conduct caused loss to 1 or more persons during a 1-year period from the defendant's course of conduct affecting protected

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INDICTMENT

1 computers aggregating at least \$5,000 in value.

2 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A) & (c)(4)(A)(i)(I).


3 Dated:


12/1/16

A TRUE BILL.

Karen Williams
FOREPERSON

6 BRIAN J. STRETCH
United States Attorney

8 
9 MATTHEW A. PARRELLA
Chief, CHIP Unit

11 (Approved as to form: 

AUSA CYNTHIA FREY

28 INDICTMENT